UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG, Plaintiff
V.
U.S. GENERAL SERVICES ADMINISTRATION
and
U.S. NATIONAL ARCHIVES AND RECORDS SERVICES, Defendants

C. A. No. 2369-70

SUPPLEMENT TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Plaintiff has filed a Motion for Summary Judgment, to which were attached a "Statement of Material Facts as to which there is no genuine issue" and a "Memorandum of Points and Authorities."

Prior to filing this instant motion and pursuant to applicable regulations, Plaintiff filed the requisite appeal on June 20, 1970. When it went unanswered for several months, Plaintiff proceeded to file this instant motion.

About a month subsequent to this filing, Plaintiff received a letter from the proper official of Defendant General Services Administration, Richard C. Vorter, under date of September 17, 1970, attached hereto as Exhibit A.

Upon rereading of this letter, it is apparent to Plaintiff that Item "(5)" in the second paragraph of this letter constitutes a complete admission of the allegations set forth in Plaintiff's Statement of Material Facts", that "there is no genuine issue", and more, that Defendants have nullified their arguments and set a precedent contrary to each and every one of their arguments in doing for the Columbia Broadcasting System even more than Plaintiff properly asked and was refused, improperly.

This item reads, "permission for you to examine the photographs taken with CBS equipment by the Archives staff." This letter further states, in the third paragraph, that these photographs taken for the Columbia Broadcasting System do exist, and that, in fact, copies thereof are in the National Archives, in the possession of the Defendants who simultaneously argued that any such photographs would be sensational or undignified. It is obvious that Defendants' arguments are not genuine but are spurious and that, in fact, prior to Plaintiff's requests, the Columbia Broadcasting System was given access to the Warren Commission Exhibits of the late President's clothing and that a large number of photographs of this said clothing were taken for the Columbia Broadcasting System by the Defendants, with the full knowledge that these said photographs would be given what was, in fact, the most extensive exposure on commercial television. Moreover, the commercial organization was given a right not even asked by Plaintiff, the right to use its own equipment.

It thus becomes apparent not only that there is no genuine issue as to the facts but that Defendant General Services Administration's attached letter certifies and proves that there is not and never was and that, as a matter of fact, what Plaintiff requested is its established practice.

Wherefore, Plaintiff again moves this Court for summary judgment in his favor, as heretofore set forth.

HAROLD WEISBERG, pro se
Route 8, Frederick, Md. 21701
January 13, 1971

I hereby certify that I have served Defendants with this Supplement to Plaintiff's Motion For Summary Judgment by mailing two copies today to Robert M. Vertig, Jr., Assistant U.S. Attorney for the District of Columbia.

HAROLD WEISBERG